685 3) theft, with corresponding fines, and even one of the thief's kinsmen putting out his eyes[61].

673 671 If there are certain crimes, known to all and carrying with them sanctions also known to all, which do not (translator's italics) appear in the qanuns (such as bestiality[52A], etc.), they are kept out purposely because of the shame, the hashuma, of those who formulate the decrees. In other instances (such as certain misdemeanors having to do with agriculture and fields), they are kept out because their inclusion is difficult and they are also sufficiently well known to and by all concerned so that they do not need to be put in. In still other cases, they are kept out because they are questions of custom which require consultation with men of laws or arbiters. Finally, these are all misdemeanors the nature of which, in one way or another, is inadequate to be put before the public in special announcements by market criers.

I) Miscellaneous Data on Fines for Lesser Offenses:

1) Among the Ibuqquyen:

224 a) Hunting[63]: Saturday is the day for hunting (rayāh or [689] thingimarth)[64]. Whoever does not attend pays a 5-peseta fine[65], and altercations during hunting are punished by a fine or by giving a meal to the other hunters. Animals killed do not belong to the man who kills [685] them but to the man who finds them[66]. Damages to cultivated lands are paid for by those who caused them. If it is not known who was responsible, the fine is divided up among all the hunters[67]. Any birds or eggs which are found by one of the hunters during the hunt are divided up [425] amongst them all. Any other objects found which are obviously lost articles of a third party are returned to their owners.

A, [This should read "62" not "52"--Analyst]

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389 Any fisherman with dynamite is the owner of the fish and site of the explosion while he remains there. Fishermen with lines may not enter the radius of action of dynamite fishermen.

In fishing with explosives, the man who first sees the fish and stays to wait for them is entitled to remain in the spot observed. Nobody who has just arrived can shoot. For this reason, fishermen with explosives keep out of each others' way.

G) Recovery:

425 Any object without a known owner which is abandoned or tossed up on the beach by the sea is the property of whoever finds it.

Any object floating in the sea is the property of whoever picks it up; and if there are several people who put their hands on it in order to hoist it onto the boat or drag it onto the beach, it, or the proceeds from it, are divided equally among all who have worked, in the last instance, among the crew and the boat owners; but a man who sees it from the sea, for example, has no right to it, as he has not helped (517) to get it on board or ashore. Work, and not vision, is rewarded.

H) Arbiters:

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554 Arbiters are men who are skilled in maritime questions and excellent mediators whose reputation, in addition to the reduced coastal limits of their tribe(s), is known and commented upon in all the villages of the neighboring tribes; and to them the inhabitants of these villages go voluntarily in order to submit their differences of opinion when these deal with matters relating to the sea.

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115 Those who had most fame in the Rifian coast were, long ago, the Ghmara, to whose ports of Taghza and Tigisas it was not uncommon

312 571 [613] [596] in the following turn it will take it up at night, and with another order among the irrigators in which the first in one turn will be the last in the next. These two classes of turns, this order of irrigation, is usually set up for the whole duration; when it is begun, the irrigators draw lots with small sticks or twigs, and, at other times, it is set up differently every day. The transfer of

312 571 425 [432] [805] [435] turns is free, as is the decision of the person to be favored. Turns of water are the object of buying and selling, and are independent of land. A 12-hour turn every week (eight days) comes to some 500 or 600 duros (1939).[124]

312 [821] The hour to begin irrigating is that of the rising or setting of the sun, according to whether the turn itself is diurnal or nocturnal. The repairs depend on their importance and where they are made, the users of the branch in question contributing to these, downstream. The outlets or cuts of water are the responsibility of

312 571 805 the individual who is irrigating at the time. The duration of turns was regulated by means of natural hours, those of the prayers, and by measurements of the shade and the angle of the same with some object, in other words, a true sun dial.

312 627 628 67] Differences were resolved, as noted, by means of arbitration, valuation or assessment, or indemnification, apart from governmental intervention if this is deemed necessary, as some qanuns express.

312 184 The variations in the treatment of ditches require the conformity of all the ditch-users to be expressed by themselves or their representatives personally, in a meeting convoked to this effect on the sites which are to be the objects of modification, in the system or traditions of irrigation.

346 794 The religious function of the mosque is by no means its most important. It also serves as the location for the Koranic school which as recently as ten years ago was the only sort of education provided for the children of the fellah. In areas where population density is high, the government has set up secular schools (658) [178] which all but replace the Koranic education. The mosque is also used as the place for public assembly of the community.

The mosque is built and kept in repair by the men of the community either through their own labor or through subscription to hire a professional master builder. The property belongs to 346 794 the mosque, generally from specific inheritance provisions. Many 423 larger property owners wishing to pave their way to paradise by (425) some act on earth will donate property to religious organizations. [782] Crops are grown on this bequested territory which serve to meet [241] some of the expenses of the religious man in charge of the mosque.

793 The mosque is presided over by a fqih, a learned man who [212] has had Koranic education and knows how to read and write Arabic. [794] He delivers the weekly sermon and provides lessons to the youth in Koranic education. It is the obligation of every married man 793 794 within the area served by the mosque to make an annual donation 465 to the mosque to provide for the fqih. The amount, while generally the same for all family heads, is not permanently fixed and can be adjusted according to how good or bad the crop yield was from the preceding year. In the year I was present the community assembly assessed a total of 25 kilos of barley to each man. The fqih also receives weekly donations of eggs from his

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428 noninterference in the use of the land inherited by A's sister
431 and B's wife. Another mechanism which achieves reciprocal
578 equality over inheritance is in sister exchange whereby land
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607 claims are mutually balanced off.

Despite the weak claim that daughters exercise over their
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423 inheritance, there are certain legal restrictions over their
607 property. A brother cannot sell his sister's land nor construct
562 on it unless he has obtained the prior permission of his sister's husband. Likewise, a husband cannot sell his wife's inherited property unless he has consulted with the woman's brothers, who have first option to purchase the land.

The male Riffian has a more solid claim over his inheri-
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428 tance and although some families continue to work the land of their father jointly under the administration of the oldest brother, there tends to be a fragmentation of land with each successive generation. This process tends to level out differ-
423 entiations based on property holdings. On the other hand there
183 is no special cultural value placed on "shared poverty." The
556 aggrandizement of property holding is not a goal towards which
425 the community voices disapproval. To buy land increases a man's wealth as well as his prestige, but he is regarded as advancing his children rather than engaging in entrepreneurship or capital development. He is also regarded as maintaining community solidarity, which is quite the opposite of what the entrepreneur does. To alienate land is regarded as a great source of shame in the Rif. The property which one's father passed on should be

6: Joseph E-5 (1965-1966) 1975 MX3 Rif MX3

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given to one's sons. However, in times of extended drought and famine as in the mid 'forties and again in the late 'fifties, selling of land and migration to the urban centers have taken place on a fairly wide scale. In such a situation the property owner can sell to a stranger but he must give relatives first option and, if they are unwilling to exercise their right, he should give the option to someone inside the community. To buy land under such conditions is considered not only honorable but a community service in that it maintains the integrity of the community by preventing outsiders from becoming members. However, neither the buyer nor the community regards such a purchase as speculation for economic profit. Rather, they see it as community service and a socially approved method of advancing one's children. The acquisition of land under such circumstances is not a part of the motivation system based on profit but part of the same complex which includes social duty and community solidarity.

Land is, of course, one of the factors of production. But whether the Riffian regards this aspect as being the primary attribute of land can be questioned. A man of my acquaintance whose grandfather and father had made sizable land purchases held at the time more land than he could profitably cultivate and manage. Yet he was quite ashamed that he had not been able to buy more land so as to increase the legacy for his own children. To him the economic value of the land was secondary to its prestige function. Naah's remark about property among the Maya

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556 (423) (425) under the Spanish, remained more or less a part of his tribe. His son continued to accumulate wealth but exclusively in terms of land, especially from Spaniards leaving the country. He maintained daily contact with his tribe, attended weddings of the more important people within the Beni Wariyaghar and although he lived in the city of Alhucemas, had close and intense connections with the countryside. This man's own son, an officer in the army, was visiting Alhucemas and was accused by the police chief of drinking in a public place. The police chief, a recent transfer from the southern zone, was unaware of the prominence of the boy and had him arrested. As soon as his father heard of this he obtained the immediate release of his son through the Ministry of Interior and the suspension of the police chief. (689) (625)

These two examples are illustrative of the fact that wealth itself is not correlated with prestige or power. One might even suggest that analytically there are two sorts of wealth, each based on a different sort of operation in terms of accumulation and distribution. One sort of wealth, that which derives from the land, is a part of a greater complex in which social factors motivate economic action. The other sort of wealth generally operates free of these social factors and is motivated by the profit incentive.